

Notice of Allowability

Application No.

09/487,790

Examiner

Samuel W. Liu

Applicant(s)

GORODETSKY ET AL.

Art Unit

1653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/17/06.
2. ☒ The allowed claim(s) is/are 1 and 10-12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>4/3/06</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

The amendment filed 3/17/06 which amends claims 1 and 10, cancels claims 2-9 and 13-21 has been entered. Also, the applicants' request (filed 2/3/06) for extension of time of three months has been entered. Pending claims 1, 10, 11 and 12 are examined in this Office action.

EXAMINER'S AMENDMENT

An Examiner's Amendment to the record appears below. Should the change and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than payment of the Issue Fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Allan A. Fanucci on April 3, 2006. Applicants agree to the examiner proposed amendment to claims 1 and 10 (see below).

Amendments to the claim:

The pending claims 1 and 10 have been amended as follows. Please replace the previous claims with the claims shown below.

Claim 1 (*Amended*): An isolated peptide ~~derived from the carboxyl terminal sequence of human fibrinogen β chain~~ consisting of ~~an~~ the amino acid sequence as set forth in SEQ ID NO: 1, wherein the peptide has a haptotactic activity.

Claim 10 (*Amended*): A composition comprising an isolated peptide ~~derived from the carboxyl terminal sequence of human fibrinogen β chain~~ consisting of ~~an~~ the amino acid sequence as set forth in SEQ ID NO: 1, wherein the peptide has a haptotactic activity.

Amendments to the specification:

In abstract is amended as follows (in one paragraph):

This invention is related to a novel peptide consisting of the amino acid sequence of SEQ ID NO:1, and a pharmaceutical composition comprising the peptide thereof.

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Objection to the drawing:

The drawing, Figure 4 (filed 10/101/02) is objected to because the labels of Figure 4A and figure 4B are missing.

The following is an **Examiner's Statement of Reasons for Allowance:**

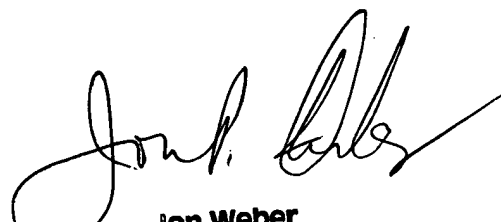
The rejections under 35 USC 112, first and second paragraphs and 35 USC 102 in the office action mailed 08/10/05 are withdrawn in light of that the applicants' amendment to claims 1 and 10 which obviates the rejections. The Prior art does not teach or suggest an isolated peptide consisting of SEQ ID NO:1 sequence, and the composition comprising the peptide thereof. Thus, claims 1 and 10-12 are allowed.

Conclusion: claims 1 and 10-12 are allowed.



Samuel W. Liu, Ph.D.

Art Unit 1653, Examiner



Jon Weber
Supervisory Patent Examiner

Abstract

This invention is related to a novel peptide consisting of the amino acid sequence of SEQ ID NO:1, and a pharmaceutical composition comprising the peptide thereof.